

**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**OCTOBER 9, 2014**

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in Council Chambers of the Norman Municipal Complex, 201 West Gray Street, on the 9<sup>th</sup> day of October 2014. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <http://www.normanok.gov/content/boards-commissions> at least twenty-four hours prior to the beginning of the meeting.

Chairman Dave Boeck called the meeting to order at 6:30 p.m.

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Item No. 1, being:

**ROLL CALL**

MEMBERS PRESENT

Andy Sherrer  
Roberta Pailes  
Curtis McCarty  
Sandy Bahan  
Dave Boeck  
Jim Gasaway  
Tom Knotts  
Chris Lewis  
Cindy Gordon

MEMBERS ABSENT

None

A quorum was present.

STAFF MEMBERS PRESENT

Susan Connors, Director, Planning &  
Community Development  
Jane Hudson, Principal Planner  
Janay Greenlee, Planner II  
Roné Tromble, Recording Secretary  
Leah Messner, Asst. City Attorney  
Larry Knapp, GIS Analyst II  
Ken Danner, Subdivision Development  
Manager  
Drew Norlin, Asst. Development Coordinator  
David Riesland, Traffic Engineer

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**CONSENT ITEMS**

Chairman Boeck announced that the items on the Consent Docket would be handled individually for this meeting.

Item No. 2, being:

**APPROVAL OF THE SEPTEMBER 11, 2014 REGULAR SESSION MINUTES**

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Chris Lewis moved to approve the minutes of the September 11, 2014 Regular Session as presented. Curtis McCarty seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Andy Sherrer, Roberta Pailles, Curtis McCarty, Sandy Bahan, Dave Boeck, Jim Gasaway, Tom Knotts, Chris Lewis, Cindy Gordon
NAYES	None
ABSENT	None

Ms. Tromble announced that the motion, to approve the September 11, 2014 minutes as presented, passed by a vote of 9-0.

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Item No. 3, being:

**COS-1415-3 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY MATT, PAIGE AND BARBARA MUSGRAVE (CENTERLINE SERVICES, L.L.C.) FOR DIEHM ACRES GENERALLY LOCATED ON THE WEST SIDE OF 84<sup>TH</sup> AVENUE S.E. APPROXIMATELY ½ MILE NORTH OF STATE HIGHWAY NO. 9.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Postponement Memo

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Curtis McCarty moved to postpone COS-1415-3 for DIEHM ACRES until the November 13, 2014 meeting. Roberta Pailles seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Andy Sherrer, Roberta Pailles, Curtis McCarty, Sandy Bahan, Dave Boeck, Jim Gasaway, Tom Knotts, Chris Lewis, Cindy Gordon
NAYES	None
ABSENT	None

Ms. Tromble announced that the motion, to postpone COS-1415-3, passed by a vote of 9-0.

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Item No. 4, being:

**COS-1415-4 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY ROBERT AND CATHERINE JACKSON (JIVIDAN AND COMPANY) FOR SUNSET RIDGE, GENERALLY LOCATED ON THE SOUTH SIDE OF STELLA ROAD AND EAST OF 132<sup>ND</sup> AVENUE N.E.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Postponement Memo

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Curtis McCarty moved to postpone COS-1415-4 for SUNSET RIDGE until the November 13, 2014 meeting. Roberta Pailes seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS

Andy Sherrer, Roberta Pailes, Curtis McCarty, Sandy Bahan,  
Dave Boeck, Jim Gasaway, Tom Knotts, Chris Lewis, Cindy  
Gordon

NAYES

None

ABSENT

None

Ms. Tromble announced that the motion, to postpone COS-1415-4, passed by a vote of 9-0.

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Item No. 5, being:

**SFP-1415-2 – CONSIDERATION OF A SHORT FORM PLAT SUBMITTED BY C.A. MCCARTY (CHRIS FAIRCHILD, P.L.S.) FOR LOT 1 AND LOT 2, BLOCK 15 OF THE VINEYARD PHASE III, GENERALLY LOCATED ON WAUWINET LANE BETWEEN QUIDNET ROAD AND NANTUCKET BOULEVARD.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Short Form Plat
3. Staff Report

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

Mr. McCarty asked to be recused from this item.

*Chris Lewis moved to allow Curtis McCarty to be recused for this item.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Andy Sherrer, Roberta Pailles, Curtis McCarty, Sandy Bahan, Dave Boeck, Jim Gasaway, Tom Knotts, Chris Lewis, Cindy Gordon
NAYES	None
ABSENT	None

Ms. Tromble announced that the motion, to allow Mr. McCarty's recusal, passed by a vote of 9-0. Mr. McCarty vacated his seat and left the meeting room.

*Andy Sherrer moved to approve SFP-1415-2, the Short Form Plat for Block 15 of THE VINEYARD PHASE III, and direct the filing thereof with the Cleveland County Clerk subject to the submittal of subdivision bond/cash surety securing sidewalk improvements. Roberta Pailles seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Andy Sherrer, Roberta Pailles, Sandy Bahan, Dave Boeck, Jim Gasaway, Tom Knotts, Chris Lewis, Cindy Gordon
NAYES	None
RECUSED	Curtis McCarty

Ms. Tromble announced that the motion, to approve SFP-1415-2, passed by a vote of 8-0.

Mr. McCarty returned to the meeting room.

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### **NON-CONSENT ITEMS**

Item No. 6, being: **CLASSEN CROSSINGS, L.L.C.**

**6A. R-1415-4 – CLASSEN CROSSINGS, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM COMMERCIAL DESIGNATION TO MIXED USE DESIGNATION FOR PROPERTY GENERALLY LOCATED SOUTH OF EAST CONSTITUTION STREET AND ON THE WEST SIDE OF SOUTH CLASSEN BOULEVARD.**

**6B. O-1415-3 – CLASSEN CROSSINGS, L.L.C. REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, AND I-2, HEAVY INDUSTRIAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED SOUTH OF EAST CONSTITUTION STREET AND ON THE WEST SIDE OF SOUTH CLASSEN BOULEVARD.**

**6C. PP-1415-1 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY CLASSEN CROSSINGS, L.L.C. (OKLAHOMA SURVEY COMPANY) FOR CLASSEN CROSSINGS APARTMENTS & RETAIL ADDITION, A PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED SOUTH OF EAST CONSTITUTION STREET AND ON THE WEST SIDE OF SOUTH CLASSEN BOULEVARD.**

### **ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Postponement Memo

Chairman Boeck announced that the applicant has requested postponement of this item until the November 13, 2014 Planning Commission meeting.

### **DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Curtis McCarty moved to postpone Resolution No. R-1415-4, Ordinance No. O-1415-3, and PP-1415-1, the Preliminary Plat for CLASSEN CROSSINGS APARTMENTS & RETAIL ADDITION, A Planned Unit Development, to the Planning Commission meeting of November 13, 2014. Chris Lewis seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Andy Sherrer, Roberta Pailes, Curtis McCarty, Sandy Bahan, Dave Boeck, Jim Gasaway, Tom Knotts, Chris Lewis, Cindy Gordon
NAYES	None
ABSENT	None

Ms. Tromble announced that the motion to postpone Resolution No. R-1415-4, Ordinance No. O-1415-3, and PP-1415-1 to the November 13, 2014 Planning Commission meeting passed by a vote of 9-0.

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Item No. 7, being: **WP OKLAHOMA NURSING, L.L.C.**

**7A. O-1415-9 – WP OKLAHOMA NURSING, L.L.C. REQUESTS REZONING FROM R-2, TWO-FAMILY DWELLING DISTRICT WITH PERMISSIVE USE FOR A CONVALESCENT OR NURSING HOME, TO RM-6, MEDIUM DENSITY APARTMENT DISTRICT WITH SPECIAL USE FOR A CONVALESCENT OR NURSING HOME, FOR APPROXIMATELY 4.559 ACRES OF PROPERTY LOCATED AT 501 EAST ROBINSON STREET.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Site Plan

**7B. PP-1415-4 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY WP OKLAHOMA NURSING, L.L.C. (CDS COMMERCIAL) FOR WP OKLAHOMA NURSING ADDITION FOR PROPERTY LOCATED AT 501 EAST ROBINSON STREET.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Site Plan
6. Pre-Development Summary
7. Greenbelt Commission Comments

**PRESENTATION BY STAFF:**

1. Jane Hudson – This application is requesting to rezone from R-2. The permissive use that they had for this site has expired; the facility has been closed for two years or more so they need to come back. Currently the R-2 zoning district does not allow special use for convalescent or nursing home, so they have to rezone to RM-6 with special use for the convalescent or nursing home. As you stated, the preliminary plat as well. The existing zoning in the area: to the north and east is R-1, which consists of the County Fairgrounds. There is also some CO to the east, with C-1 and C-2 to the south, with additional C-2 to the west. The existing land use in the area consists of office uses, the County Fairgrounds to the north and east, some doctors' offices to the south, and commercial to the southwest. The commercial to the west consists of a mini-storage facility. It is a large site with two buildings. Currently the applicants are just trying to get this zoning correct, plat the property, and then do interior renovations to bring the facility up to code for State requirements to get approval from the State. Staff feels that, since this is the same use that has been in place for many years, we do not have an objection. We support this request and recommend approval of Ordinance No. O-1415-9 and the preliminary plat, PP-1415-4. I'd be happy to answer any questions you might have. The applicant's representative is here with a presentation and to answer any questions you have as well.

**PRESENTATION BY THE APPLICANT:**

1. Todd D'Amico, 3550 W. Robinson Street, representing the applicant – As Jane said, we plan to keep the use of the property the same and, through the platting process we've identified a few items. One is the street right-of-way that will be dedicated to the City. The other is a request by staff for a ten foot sanitary sewer easement along the south property line. And as Jane said, the zoning – she explained that earlier. These are the housekeeping zoning items, and Sean is here also this evening. But you can see on the presentation we talked about the differences in the zoning. There's some information here about the use of the property, the same number of beds and also bringing the property in compliance as far as platting and zoning. This is an area existing on the property to the west where there is a fence and some trees that need to be cleaned up – over time, since the property has been vacant, they need to be addressed. The applicant is aware and is going to repair and replace that along that side. It needs to be brought up as the property gets approved. This is just another view here of the front

of the property, in case you're not familiar with that, along with a copy of our preliminary plat there on the other side. Any questions.

2. Mr. Boeck – How does it work in terms of a Certificate of Need?

Mr. D'Amico – It would have to be approved and have that certificate to operate, I'd assume.

3. Ms. Pailes – I meant to catch up with you earlier and wasn't able to. You realize you're right next to the demonstration garden at the County Extension Agent. I had a relative in this facility years ago. If you work with the County, they'll probably give you a gate to get in there. They have facilities for wheelchair gardening and, I know when our relative was there, somewhere to go and something to do would have been a really good thing. So I just suggest you work with the County Extension people because you've really got something that can be of value to you there.

Mr. D'Amico – Thank you. I know our client is excited about bringing the property back current and making it useful in the community.

**AUDIENCE PARTICIPATION:**

None

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Jim Gasaway moved to recommend adoption of Ordinance No. O-1415-9 and PP-1415-4, the Preliminary Plat for WP OKLAHOMA NURSING ADDITION, to City Council. Chris Lewis seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Andy Sherrer, Roberta Pailes, Curtis McCarty, Sandy Bahan, Dave Boeck, Jim Gasaway, Tom Knotts, Chris Lewis, Cindy Gordon
NAYES	None
ABSENT	None

Ms. Tromble announced that the motion to recommend adoption of Ordinance No. O-1415-9 and PP-1415-4 to City Council, passed by a vote of 9-0.

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Item No. 8, being: **SERETA AND ROB WILSON**

**8. O-1415-14 – SERETA AND ROB WILSON REQUEST SPECIAL USE FOR A VETERINARY CLINIC/HOSPITAL TO INCLUDE A DOG BOARDING FACILITY FOR PROPERTY CURRENTLY ZONED A-2, RURAL AGRICULTURAL DISTRICT, LOCATED AT 10400 EAST STATE HIGHWAY 9.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Aerial Photo/Site Plan
4. Pre-Development Summary

**PRESENTATION BY STAFF:**

1. Janay Greenlee – The applicant is requesting a special use for a veterinary clinic/hospital to include a dog boarding facility at 10400 East State Highway 9. The existing zoning is A-2, with A-2 to the north and also to the east, then RE, Residential Estates zoning to the west. We do have a couple of pieces of tourist commercial on the north, northeast and just directly to the east of the site with A-2 in between. This is an aerial of the site. Currently Sereta Wilson and her family live in this single-family dwelling. The proposal is to put a 2,000 square foot dog boarding facility on the north side of the property, keeping the one entrance off Highway 9. It will be located somewhere around here. It will be completely fenced – a double fence, actually, for extra security – meaning two six-foot fences back to back. This is the site of the single-family home entrance off of Highway 9 on the south side, then kind of generally located somewhere in this area would be the facility. Right across the street is the Big Sky Ranch, which is currently for sale, I believe. But there are wineries and also the convenience store down to the east. Storage facility. Convenience store across the street. The Shell to the east of the site. Staff believes that this use does fit within the area and the character of the area and is recommending approval of Ordinance No. O-1415-14 for a special use. The applicant is here to make a short presentation.

**PRESENTATION BY THE APPLICANT:**

1. Sereta Wilson, the applicant – I'm very low-tech, as are most things doggie daycare. My husband is at football tonight. I am the owner of Annie's Ruff House that is currently located at 1043 North University. We have been there for six years. I have lived in central Norman for over 20 years. I have two grown-ish children – they still want money, but grown. One is at Norman North High School and one is in the Air Force, so we're in the community – we're community people.

Annie's Ruff House, the current location is a doggie daycare and boarding studio. Our focus is on exercise and fun times for dogs. I wrote this up not knowing what my audience would be, so I feel a little like it doesn't need to be so formal. But we've been there for six years. We average around 50 dogs a day every day of the year at our current facility. We have five full-time staff members and approximately 6 or 7 seasonal – seasonally it changes – part-time staffers. We pay 20-40% above the federal minimum wage, so we try to be good business people. Four of our five full-time employees have been with us for over four years, so we're good stewards of our people.

We're here tonight to hopefully build. We purchased 20 acres for us to live in and hopefully build an overflow facility on agriculturally zoned land, seemingly out in the middle of nowhere for us. It is 10400 East State Highway 9, which is the south side of the highway and midway between 96<sup>th</sup> and 108<sup>th</sup>. We are almost directly across the street from Big Sky Ranch, which is, as I understand it, a horse boarding facility, so very similar. We are asking for a special use permit. We live on the site and will remain on the site. Any concerns that any resident might have, we will also have because we will be living there as well. We intend to build a 2,000 square foot kennel with 20 animal enclosures and 3 indoor play spaces – ish – depending on what we can afford. A small lobby/office. It will have some retail, but that's not our goal to have a retail center. It will be sort of collateral retail when people are there doing their business for boarding their dog, they can buy a collar or food or whatever they might need.

Annie's Ruff House is a well-established business. It has an excellent reputation for treating the dogs beyond reproach. We get all of our business by word of mouth. We do zero marketing and turned away 2,500 dogs last year. Thus, the need for expansion. We have bookings into the 2015 travel season – meaning I have people on the books for July of next year. So there's a business need for sure.

We also are good stewards in our community. We started Annie's Rescue Foundation, where we give back to the community. We do dog food drives. We support other non-profits, such as Second Chance. We support the local animal shelters. We have taken in dogs from the shelters during tornados and things like that when they needed space for other needs. We do free community dog walks several times a year. We also have placed 120 dogs that we've personally, or individually, saved – spayed/neutered, vaccinated and put into good, loving, forever homes. We kind of do our part. We started Annie's Rescue Foundation, which is still pending a non-profit through the federal government. So that's kind of a big deal.

We're hoping to build with Morton Buildings. This will tell you a little bit about what the building will look like. They have experience building these types of buildings. They've built kennels in other markets. There will be sound-proofing. Janay touched on the double fence system. In our current facility we were unable to go in and just put a whole bunch of new fences. But since we're building from the ground up, we know what we need. So we're going to build a perimeter fence and then each play yard will have its own fence, so we will have a redundancy there. We don't want dogs getting out and getting hit on Highway 9. That's the reason why we're doing that.

During our Pre-Development information meeting a few concerns came up and I'll go ahead and address those here, in case you have those in your head, too. Dog escapes – it's a policy in place at our facility, where there's signs up that say you must have your dog on a leash, controlled by a person 18 years or older into the facility. In the facility, once you're in there, you hand off the leash to the staff member and we go back to the secureness of the kennel area. So that would be our only point of failure at the new place as well, is if people lost their dog all of a sudden. Hasn't happened at our current facility. We're right next door to a kid daycare and they don't mind us. The other thing that was kind of a concern was vicious dogs. We don't take vicious dogs. We only take dogs that pass a demeanor test; I have to be able to handle a dog. We don't take personal protection dogs. We don't take dogs that have been trained to attack for any reason. We don't take dogs that have had a history of bites. And if they develop any kind of bite situations in our place, we also don't take them anymore. Before they ever get dropped off to stay, they have to pass the demeanor test. I don't like vicious dogs, either. The cleanliness of the facility – we're a very clean facility. We are inspected biannually by Norman Animal Control and we have always passed every inspection. And then I can also go back to the fact that we are word-of-mouth business so people aren't going to tell their friends to go to us if we're nasty. We're very clean. We pick up all solid waste as it happens. We bag the waste and then bag all the bags before it hits the City dumpsters. It will go in the City dumpsters and that's how we currently do our business there. Sound-proofing, because dogs like to bark. One of the things that we've addressed already – and the current facility is right in the middle of – if you're not familiar, we're at 1043 North University, right smack dab in the middle of a bunch of houses, even though we're industrial and commercial. So we have to be very good neighbors, because we don't want people upset with us. Plus, a lot of those people use us, so we don't want them upset with us. Our hours of operation are 7:00 a.m. to 7:00 p.m. Dogs are outside and playing. We keep the groups – our current license at the current facility restricts us to having 30 dogs outside at a time, and that's to counter the noise. So we adhere to that. And we close up everything at 7:00 at night. We focus on exercise throughout the day so the p.m. is very quiet.

Our current facility we retro-fitted an industrial building and kind of have to make due with what's there. But this building we'll be able to build from the ground up and Morton has a very good sound-proofing system that they've already put into place at other kennels. It is acoustical seal and I can't tell you the amount of insulation but it's big – lots of insulation. And we're also naturally sound barriered to the neighbors around us. You saw the photos. There are

trees everywhere. We plan on keeping as many trees as possible. We just want to take out the footprint of the building – the construction guy might get upset with me, but I'm very serious about keeping as many trees as possible. We're also kind of over a hill and next to Highway 9 from our surrounding neighbors that might get upset with noise. And that is all I have, unless you have questions.

2. Mr. Knotts – Are you a vet?

Ms. Wilson – Am I a veterinarian? No. I'm not a veterinarian or a veteran. It's a dog boarding facility. But there's not just dog boarding facility on the 1954 zoning thing, so that's the best fit we have.

Ms. Connors – The reason is that the special use in the zoning code is a veterinary clinic/hospital. We know that they're doing dog boarding, but we're recommending this under the auspices of that special use because it's of a like nature. But never intended to be a veterinary clinic.

Ms. Wilson – Not really. We're open to it if you know a veterinarian that needs a place.

**AUDIENCE PARTICIPATION:**

None

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Jim Gasaway moved to recommend adoption of Ordinance No. O-1415-14 to City Council.  
Cindy Gordon seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Andy Sherrer, Roberta Pailles, Curtis McCarty, Sandy Bahan, Dave Boeck, Jim Gasaway, Tom Knotts, Chris Lewis, Cindy Gordon
NAYES	None
ABSENT	None

Ms. Tromble announced that the motion to recommend adoption of Ordinance No. O-1415-14 to City Council, passed by a vote of 9-0.

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Item No. 9, being: **SOONER TRADITIONS, L.L.C.**

**9A. R-1415-26 – SOONER TRADITIONS, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM INDUSTRIAL DESIGNATION TO COMMERCIAL DESIGNATION FOR THE 2.32 ACRES OF PROPERTY FRONTING TECUMSEH ROAD AND FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA FOR THE ENTIRE 8.37 ACRE PARCEL OF PROPERTY LOCATED AT 2596 W. TECUMSEH ROAD (THE SOUTHEAST CORNER OF W. TECUMSEH ROAD AND THEDFORD DRIVE).**

**ITEMS SUBMITTED FOR THE RECORD:**

1. 2025 Map
2. Staff Report

**9B. O-1415-10 – SOONER TRADITIONS, L.L.C. REQUESTS REZONING FROM I-1, LIGHT INDUSTRIAL DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT FOR APPROXIMATELY 2.32 ACRES OF PROPERTY LOCATED AT 2596 W. TECUMSEH ROAD (SOUTHEAST CORNER OF W. TECUMSEH ROAD AND THEDFORD DRIVE).**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Preliminary Site Plan

**9C. PP-1415-5 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY SOONER TRADITIONS, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR SHOPS AT TECUMSEH ADDITION, GENERALLY LOCATED AT 2596 W. TECUMSEH ROAD (SOUTHEAST CORNER OF W. TECUMSEH ROAD AND THEDFORD DRIVE).**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Request for Alley Waiver
6. Preliminary Site Plan
7. Pre-Development Summary
8. Greenbelt Commission Comments

**PRESENTATION BY STAFF:**

1. Jane Hudson – There are three parts to this application. We've got the land use plan amendment, which will bring this from the Future Urban Service Area into the Current Urban Service Area for both tracts, and then the north tract is requesting commercial designation; the south tract will continue to have the industrial designation. The land uses around the area: we've got the institutional to the north, which is the military facility, and industrial to the south and east and west of this site. For the rezoning, the existing zoning to the north is I-2. To the east, south and west we have I-1 and then there's also some I-2 down in the southwest corner. This north piece will request C-2 zoning, which will have those uses allowed in the C-2 district, and then the southern portion will keep the I-1, which is proposed for a mini-storage facility. The existing land use in the area, again, industrial for the most part. There is a single-family residence to the east and then there's the institutional land use with the military facility there on the north. This is the preliminary plat location. This is the site itself. This shows how the area will be divided; again, the north piece will be the commercial designation and then the south piece will be the industrial. This site will have access from Tecumseh as well as from Thedford Drive.

This is the site itself looking south from Tecumseh. This is looking back east. This is looking to Tecumseh; you can see the industrial uses – the metal buildings that are on the north side. This is Southwestern Wire which is the I-2 zoned area there off of Thedford Drive. This is the military facility on the north side of Tecumseh, with the continuation of the industrial uses. This is the single-family home to the east.

This area in Norman has continued to grow with the expansion of Tecumseh Road, the infrastructure improvements that have come in, University North Park to the south, so staff feels that they can recommend approval and support Resolution No. R-1415-26, Ordinance No. O-1415-10, as well as the preliminary plat PP-1415-5. I'd be happy to answer any questions you have. The applicant's representative is here with a presentation for you as well.

2. Mr. Knotts – Is that a waste pond from Southwest Wire – the standing water that is there?  
Ms. Hudson – The engineer may be able to answer that question. I'm not 100 percent sure.

Mr. McCaleb – It is not. That's an area that's been draining there for a long time and there's a culvert there on Tecumseh Road that it used to drain to and it has kind of been split.

**PRESENTATION BY THE APPLICANT:**

1. Sean Rieger, 136 Thompson Drive, representing the applicant – This site is a mess. You can see it. Look at it on the screen and you can see that it was basically a concrete batch plant with the pond that covered it. And this is going to clean that up. This is a project to come in and basically divide the site into two pieces. The front pieces will be three commercial lots – small lots. These would be roughly about  $\frac{3}{4}$  of an acre across the frontage of the site. And the rear would be a mini-storage facility that is already allowed under the current I-1 zoning. You see on the right is a bare tract that corners at Tecumseh Road and 24<sup>th</sup> Avenue. That resident is here tonight and I don't know if he wishes to speak or not but he has been very supportive of us in this project and we appreciate that very much. When you look at the site again, the only change in zoning is for this area at the front to be commercial and the rest of it will remain unchanged as industrial. It's about an 8.37 acre site, fully engineered with a WQPZ zone. That is significant tonight. I think that's, in fact, the most significant piece of this as you consider it tonight, is that we have taken a site that was entirely covered by WQPZ and we have transformed it into a usable site. I say we – really it's the engineers, of course, that have figured all of this out. Only about 2.32 acres of this is going to commercial C-2; the rest of it will remain industrial. The large frontage part of it becomes right-of-way for Tecumseh Road – a large right-of-way area. And when the WQPZ zone is transformed, there will be covenants filed of record with the final plat that will further protect that WQPZ zone area. And this is it. This is really a pretty remarkable part of this particular site. If you look at the lower right, you see the yellow dashed areas and everything inside of that is WQPZ zone – water quality protection zone. So that site was virtually completely unusable. And what has happened is the engineers, through Tom and his work, have used the practices that are in the manuals and in the adopted procedures for transforming a WQPZ zone and they have come up with this method, and you can see it on the screen. It basically has the zone now altered into this location, still with a 25' buffer around the edge of it. This was very highly praised by the Greenbelt Commission. I always can't help but put those words on the screen when we do get that praise from Greenbelt Commission. We appreciate them looking at it. They said the Commission would like to applaud the developer for following the best management practices on this project. So they were thrilled to see this site cleaned up and put into a very good solution for a WQPZ zone. So, with that, I'll be very brief. I'm happy to answer any questions you have, and we ask for your approval. Thank you very much.

**AUDIENCE PARTICIPATION:**

None

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

Andy Sherrer moved to recommend adoption of Resolution No. R-1415-26, Ordinance No. O-1415-10 and PP-1415-5, the Preliminary Plat for SHOPS AT TECUMSEH ADDITION, to City Council. Jim Gasaway seconded the motion.

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Andy Sherrer, Roberta Pailles, Curtis McCarty, Sandy Bahan, Dave Boeck, Jim Gasaway, Tom Knotts, Chris Lewis, Cindy Gordon
NAYES	None
ABSENT	None

Ms. Tromble announced that the motion to recommend adoption of Resolution No. R-1415-26, Ordinance No. O-1415-10 and PP-1415-5 to City Council, passed by a vote of 9-0.

\* \* \*

Item No. 10, being: **ARIA DEVELOPMENT, L.L.C.**

**10A. R-1415-27 – ARIA DEVELOPMENT, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM COMMERCIAL DESIGNATION TO MEDIUM DENSITY RESIDENTIAL DESIGNATION FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF W. MAIN STREET AND 48<sup>TH</sup> AVENUE S.W.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. 2025 Map
2. Staff Report

**10B. O-1415-11 – ARIA DEVELOPMENT, L.L.C. REQUESTS REZONING FROM C-2, GENERAL COMMERCIAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR 2.1395 ACRES OF PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF W. MAIN STREET AND 48<sup>TH</sup> AVENUE S.W.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Preliminary Site Development Plan
4. PUD Narrative with Exhibits A, B and C

**10C. PP-1415-6 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY ARIA DEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR WEST MAIN LOFTS ADDITION, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF WEST MAIN STREET AND 48<sup>TH</sup> AVENUE S.W.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Development Plan
6. Pre-Development Summary
7. Greenbelt Commission Comments

**PRESENTATION BY STAFF:**

1. Janay Greenlee – This is Aria Development for West Main Lofts, requesting a Norman 2025 Land Use and Transportation Plan amendment from commercial to medium density residential designation at West Main and 48<sup>th</sup>. This is the existing land use, currently commercial. As you can see, commercial around it. Medium density residential on the north side, south side, and to the west. Proposed is medium density residential. There is medium density residential again to the south and to the west. Also a rezoning request from C-2, General Commercial to PUD, Planned Unit Development, and also the consideration of the preliminary plat for West Main Lofts. The existing zoning is C-2. Existing land use: this land is vacant and has never been developed. In 2008 it was proposed to City Council for Ordinance O-0708-48 for rezoning to C-2 with a Special Use for a mini-storage, and that, obviously, has not developed and that special use did expire. This is the site itself. You can see mini-storage did develop to the east of that, and the mobile home park is to the east of that. Medium density residential is some nursing home facilities, convalescent facilities over here next to the dog veterinary clinic. This is the site itself, looking to the south from Main Street. You can see the mini-storage here with the mini-storage wall. The senior care home facility there. This is actually the site itself looking to the south. That's the facility that's to the south of this proposed site. Looking to the north, and back to the east. That's 48<sup>th</sup> Street. Like I said, this is A-2 zoned but it is medium density land use on the west side of 48<sup>th</sup> Street. A mini-storage facility and then the single-family behind that. And then there's offices on this side over here on the north side of Main Street then with high density apartments. The A-2. Sorry for some redundant pictures here. That just is a picture of the wall – the separation of the mini-storage facility that's there on the east side of the site. And another

convalescent home on the north side of Main Street. This is the site itself. Staff does support and recommend approval of Resolution 1415-27 and Ordinance No. O-1415-11. Feel that this is a good use for the site. There are four buildings that will be two-story attached single-family units. So it will be 20 units altogether for this 2.14 acre site. Be happy to answer any questions. The applicant is here for a presentation.

2. Ms. Pailles – What is the drainage like? It's totally impervious to the east of it and 64% coverage on this site and there's no detention plans.

Ms. Greenlee – The applicant can answer. They're doing engineering solutions for on-site detention and there's also a fee-in-lieu of for parkland. Detention will be taken care of through engineering solutions on-site. I can let the applicant speak to that better than I would be able to.

Ms. Pailles – Usually that's kind of marked on the maps.

Mr. Danner – The City Engineer has reviewed the drainage report. Because of the location in relation to the basin and how close it is to the Canadian River, we're looking at fee-in-lieu of detention.

Ms. Pailles – So where does the water go?

Mr. Danner – The water goes south.

Ms. Pailles – I mean, it will just run off naturally?

Mr. Danner – Right. It goes to 48<sup>th</sup> and then south.

#### **PRESENTATION BY THE APPLICANT:**

1. Sean Rieger, 136 Thompson Avenue, representing the applicant – Let me just follow up on that briefly. I remember when this came up – that very question, Commissioner – in an item a few years ago. I think the best explanation I heard an engineer give me on that was if you imagine a stadium of people that need to get out of that stadium, they all have to get out eventually. Well, if you held back the ones that were right next to the exit in a detention area, and made them wait until all the others are ready to get out of that stadium, then you've actually blocked the people that were up the stairs waiting to get out. So the thought behind designing those systems is let the water that is closest to the river go on right away – just get out of the way, because there will be a whole bunch of other water coming right behind it and we don't want to hold back the water in a detention area so that it floods everybody else. So that's the idea behind when you are at the low end of the basin, as Mr. Danner said, you let the water go – you don't detain it, so that it does not cut in with the rest of the water that's forthcoming.

That is the site. There's kind of a recurrent theme here tonight. If you noticed the very first slide that Janay showed, it showed a very large red area – commercial area around this whole intersection. Well, as we see sometimes in planning, over time our best guess of what the master plan should be just doesn't happen. And this area just has not developed as a large commercial area. It's not going to happen. It's pretty much certain at this point I think we can agree that this is not going to be a large commercial corner. So we're changing it. This is going to go to basically a multi-family model of about 20 townhome units that will cover the property on the corner – two-story units stacked right next to each other, four buildings, five units in each building, right on the corner. The main entry will be from the north, and this is an exit only out onto 48<sup>th</sup>. It's only one lot; they're not separate lots for each of these townhomes. It's one lot. It does allow for future severing into condominiums if they wish, but at this point it is one lot. That's the site plan right there. You see the different units – 20 of them – lined up and down north/south. Entry way into here. Each unit has a two-car garage and two car spaces in the front, and then we have 15 spaces for guests elsewhere on the site, so really significant amount of parking. When you think about it, oftentimes we stand here for multi-family and say we want one space per bedroom. Well, these are three-bedroom units and we have roughly 95 spaces for 60 bedrooms. We have ample parking on the site. Open space in conformity to the PUD. Trying to move quickly because I know we have two more items. This, Commissioner, is the exterior design. You see on the bottom of those two-stories. The floor plans – on the first floor and the second floor. And I might ask if I can prevail upon Joey Wishnuck to come up and talk



about the materials on the exterior, if you don't mind, to answer the Commissioner's question. This is Joey Wishnuck with Aria Development.

2. Joey Wishnuck, Aria Development – As you can see, they are full masonry. We'll probably work in some sort of EFIS product, brick, stone, etc. It will be flat roof. I'll answer any other questions you have about them.

3. Mr. Boeck – Two questions. I don't see any sidewalks.

Mr. Rieger – There are sidewalks. The PUD requires them. I don't think the diagram actually shows it in that detail yet. But they are required. The PUD actually is written to say that there has to be sidewalks connecting the buildings.

Mr. Boeck – Well, where do we see them, because I just see parking spots in front of parking garages.

Mr. Rieger – That's correct, Commissioner, because those are garages. Just like a house, you would have your parking space – the driveway – that is, in essence, a driveway going into a garage. Just like your house, you have a driveway going straight into the garage.

Mr. Boeck – When will we see sidewalks? I see a driveway. I don't see any sidewalks. I don't see any room for sidewalks.

Mr. Rieger – Just as you would walk out of the patio of your front door, you would either get into your car in the garage and then you would back out, just as you would in your driveway, or you would leave the front door right here which takes you out onto a small sidewalk here which then takes you to your car.

Mr. Boeck – What about people walking the neighborhood?

Mr. Rieger – People walking the neighborhood would park – if they're guests, they would park here and they would walk down into the front door here, or down into this location.

Mr. Boeck – Well, that's going in front doors, but what about if you want to take your dog for a walk?

Mr. Rieger – Well, we have open space all around the back. You see this open space right here. And then you have open space over here as well. And, in fact, at Parks Board, they were fairly complimentary of the closeness of this property to the Cambridge Park, which is just a little short distance up 48<sup>th</sup> and west, which is a very large, significant park with a large pond that we speculate many people will be using from this site. And we would have public sidewalks along the edge – five feet, in fact. The PUD requires these to be five feet sidewalks along the periphery that will be throughout the periphery of the site.

Mr. Boeck – And I know that, but these are all back doors off the street, and usually that's fenced in. So access to those sidewalks from the units?

Mr. Rieger – We would have fencing along the south – the south edge of this property is entirely fenced, and then the east side of this property is actually the wall of the self-storage units on the property line. So the south and the east side of these units, there is no access from those sides. And from the west and the north we have sidewalks lining both edges of that property.

Mr. Boeck – One other question, looking at the floorplans, are any of these units accessible?

Mr. Wishnuck – They're not. All the bedrooms are on the second floor.

Mr. Rieger – It's a 3-bedroom unit. Upstairs, basically, a townhome unit with – you come into the front door, you go upstairs to the bedrooms or you go through to the living and dining room on the first floor. Commissioner, I would urge you to consider that we are doing a zoning, not a building permit review or to that level.

Mr. Boeck – Being an architect and dealing with accessibility, I want to see projects that come through here that are accessible.

4. Mr. Knotts – So is there a connection with a convalescent home? This isn't a waiting area?

Mr. Rieger – No, Commissioner. If you wanted to go there first and move to the second, I don't think anybody is going to prohibit that.

Mr. Knotts – It's in the 'hood.

Mr. Rieger – It is not designed to be that connection.

Mr. Knotts – Is there any hardened space in each of the units?

Mr. Rieger – I didn't understand your question. Hardened space? Storm shelter.

Mr. Knotts – Yeah. You know, the myth has been refuted that Norman is protected from the tornados.

Mr. Rieger – Yeah. And, you know, in the building community – let's talk about that for a moment. Right now, no. This would be – probably that would be an individual item of each unit. The developer will decide, again when we get to building permit stage, as to whether they want to put in subgrade shelters or something else. I would caution a little bit – the City of Moore has taken extensive steps to add storm shelter mechanisms and I can just tell you from – I represent the Oklahoma State Homebuilders Association on a number of items and there's been a lot of discussion about that. And what we found is that they've sort of become an island unto themselves. Most cities have decided not to go there, so to speak, in requiring that and leave it to a homeowner decision as to whether you want to do that or not.

Mr. Knotts – The homeowner has no decision in a rental property.

Mr. Rieger – Well, they don't. This is a single owner concept. Certainly that tenant has the decision where they want to rent and whether they want to pay for that level of protection or not.

5. Mr. Rieger – This is supported, by the way. We never get this. You've got to let me highlight that. I never have this happen, but we had a letter sent in from a neighbor from the north who said "This developer has a reputation for doing quality projects and we support the proposed rezoning." Roy Woods. That came in out of the blue actually. No protests. No persons appeared at any of the Pre-Development meeting, Greenbelt Commission approved, Park Board was pretty complimentary of how close we are to the park, and staff fully supports this project. We respectfully ask for your support, and I am happy to answer any questions.

6. Tom McCaleb, SMC Consulting Engineers – When this project was built for the mini-storage and for this area down here, we put in a system that would collect this water into this inlet and this portion here actually drains that direction. So the only amount of water we're talking about for this application is just this area and it will go into this system right here and go across 48<sup>th</sup> Street into the existing bar ditch and then go down to the river. So that's all it is.

#### **AUDIENCE PARTICIPATION:**

None

#### **DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Jim Gasaway moved to recommend adoption of Resolution No. R-1415-27, Ordinance No. O-1415-11 and PP-1415-6, the Preliminary Plat for WEST MAIN LOFTS ADDITION, to City Council. Chris Lewis seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS

Andy Sherrer, Roberta Pailles, Curtis McCarty, Sandy Bahan,  
Dave Boeck, Jim Gasaway, Tom Knotts, Chris Lewis, Cindy  
Gordon

NAYES

None

ABSENT

None

Ms. Tromble announced that the motion to recommend adoption of Resolution No. R-1415-27, Ordinance No. O-1415-11 and PP-1415-6 to City Council, passed by a vote of 9-0.

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Item No. 11, being: **BUILDERS ROCK CREEK LAND INVESTMENTS, L.P.**

**11A. R-1415-28 – BUILDERS ROCK CREEK LAND INVESTMENTS, L.P. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM INDUSTRIAL DESIGNATION TO LOW DENSITY RESIDENTIAL DESIGNATION AND FROM FUTURE URBAN SERVICE AREA TO CURRENT URBAN SERVICE AREA FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12<sup>TH</sup> AVENUE N.W. APPROXIMATELY ½ MILE NORTH OF ROCK CREEK ROAD.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. 2025 Map
2. Staff Report

**11B. O-1415-12 – BUILDERS ROCK CREEK LAND INVESTMENTS, L.P. REQUESTS REZONING FROM I-1, LIGHT INDUSTRIAL DISTRICT, TO R-1, SINGLE FAMILY DWELLING DISTRICT, FOR APPROXIMATELY 10.48 ACRES OF PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12<sup>TH</sup> AVENUE N.W. APPROXIMATELY ½ MILE NORTH OF ROCK CREEK ROAD.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Preliminary Plat

**11C. PP-1415-7 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY BUILDERS ROCK CREEK LAND INVESTMENTS, L.P. (SMC CONSULTING ENGINEERS, P.C.) FOR TRAILWOODS WEST ADDITION, GENERALLY LOCATED ON THE EAST SIDE OF 12<sup>TH</sup> AVENUE N.W. APPROXIMATELY ½ MILE NORTH OF ROCK CREEK ROAD.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Pre-Development Summary
6. Greenbelt Commission Comments

**PRESENTATION BY STAFF:**

1. Jane Hudson – This is a land use plan amendment. This will also be bringing it from Future Urban Service Area into the Current Urban Service Area, updating it from Industrial land use to Low Density Residential land use. The existing zoning is I-1. They will be requesting R-1 for this area. The existing zoning in the area: to the north you've got a Planned Unit Development, to the east Planned Unit Development, south I-1, Industrial, and to the west we have a combination of I-1 as well as I-2 directly across 12<sup>th</sup> Avenue. The existing land use in the area, again, is the single-family to the north, east, and down to the south to Rock Creek Road. The industrial designation down there to the south is Forest Lumber facility. There's a combination of commercial, some plumbing companies and such on the west side of 12<sup>th</sup> Avenue, as well as some industrial uses.

This is a photo of the site. This, once it's complete, will be essentially a connecting point between the Planned Unit Developments to the north as well as to the south for Greenleaf Trails and Trailwoods. This area to the south is essentially a drainage area, and then there's some additional area to the south that will create a buffer, essentially, between the new single-family homes and what is Forest Lumber down there to the south. This picture was taken on the south side of that detention area and then there's this open area and then there's the Forest Lumber site as well. This, again, is the open area and that detention area is there on the left side of the screen. This is the site itself looking back to the south; from 12<sup>th</sup> Avenue; and this is the I-2 zoning district that's directly across 12<sup>th</sup> Avenue. Due to the existing development in the area, as I stated, there's the single-family to the north and to the south, staff does not have a problem supporting this request. The Parks Board voted 7-0 recommending fee-in-lieu of land at their meeting last week. Staff does support the request, recommends approval of Resolution No. R-

1415-28, Ordinance No. O-1415-12, and the preliminary plat PP-1415-7. Be happy to answer any questions you might have. The applicant's representative is here with a presentation as well.

**PRESENTATION BY THE APPLICANT:**

1. Sean Rieger, 136 Thompson Avenue, representing the applicant – This is a Richard McKown creation. He's here tonight. I'm going to ask him to come up in just a minute and give you his reflections on this as well. Very straightforward project really. You see this large section – one mile section area you can see right in front of you is quickly moving to be almost entirely residential. This is just one other piece of that – about 10 acres, 42 lots. It is basically a connection next to Trailwoods. This is the existing Trailwoods Addition right here moving north. This is Greenleaf Trails moving south, and eventually these two connect and there's an extensive trails system that goes up through these two projects. Here's an actual site. You see right there, as Ms. Hudson showed you, with the detention area below it, and you can see this is farther along than the photo shows, because this is an older aerial, but the street will connect right over into the street network of the existing Trailwoods Addition.

There's the particular site plan. You see all the lots spanning around here. There's only about four lots off of 12<sup>th</sup> Avenue; the bulk of it is over here next to the Trailwoods Addition with the little cul-de-sac down here next to the greenbelt space. Forty-two lots; 10.48 acres; only about 4 units per acre. That really is a low density when you start looking at it.

This one, too, had very high praise from Greenbelt Commission – two in one night – that is pretty significant. We don't have that very often and we appreciate that very much from the Greenbelt Commission. But they went on to four different points they made in their report as to how much they appreciated this applicant – commended the applicant for making a connection with the housing and urban parkland to the east, and allowing access to the detention basin through the cul-de-sac – you see that right down here. It would have been very easy for a developer to simply surround that cul-de-sac with lots they would sell to everyone else and keep access away from the group into the detention area – they did not here. Very consciously they took the cul-de-sac right down to the detention area, which then presents a nicer view and aesthetic and connection for people to walk to. And extending the trails into the Greenways Master Plan north to the Little River area. As I mentioned, this will eventually connect all the way up to the Little River as it goes up through Greenleaf Trails and there's a Little River Addition that was also preliminary platted north of that. So really extensive, creative design by Richard McKown on this project. No protests. Nobody appeared at Pre-Development. Very high praise from Greenbelt Commission, and Parks Board voted fee-in-lieu of. I do want Richard to come up and talk just a little bit about it, because he's so eloquent in doing so. So if you will?

2. Richard McKown, 4409 Cannon Drive – Glad to be here this evening. Thank you for taking a look at this. It's fun to look back at Trailwoods. It's one of my favorite communities I've ever worked on. It's the very drawing I had under my arm when I was recruiting Dr. Reed Coffman to come help me learn to develop rain gardens and a whole lot of the technology we're working with today with SMC Consulting to help be able to really improve storm water quality. Trailwoods is where the EPA research project is taking place. What we're really here to talk about tonight is this little parcel of land and why we want to add it onto Trailwoods. As I was watching Jane's presentation, I actually was thinking about the history of the land acquisition. We didn't own the 160 acres to the north of us when we first put Trailwoods together. And this funny line that defines the east boundary of this was the ridge and everything would gravity sewer back toward the east; there was a new interceptor going in. But we had no guarantee that gravity sewer would ever be available anything to the west of that ridge. The other thing from the inheritance of our legacy of being a Land Run state and everything being chopped up into quarter sections, then forties and tens and so on – all of that land acquisition really ignores the natural features. My wife is from the State of Missouri. She grew up in north central Missouri. There's not a straight road in that whole part of the country. They didn't get their state chopped up by the Corps of Engineers. They actually built the roads on the ridge and they crossed the creeks very few times. And, as a result, they do very little damage to their natural resource

corridors – their habitat corridors are largely intact because they didn't have the aid of the grid to sort of break all that up the way we've done that very successfully here for well over 100 years. So, anyway, we had the opportunity, now that we control the Greenleaf Trails to the north, to bring sewer to this little parcel, to follow the natural creek system, and basically to tie the two neighborhoods together in a very meaningful way and not end up seeing something that has to go back in and just obliterate that whole natural strange diagonal, which isn't really very useful for industrial development. So, with that said, we wanted to take the opportunity to basically add a little to the neighborhood, add another point of access to allow people to get out to the north, and also to lock all of this natural condition into place permanently. So here we are with a little addition to the project.

3. Ms. Pailles – No rain gardens in this part?

Mr. McKown – Rain gardens aren't going to be necessarily something that this parcel needs. Each time we look at storm water filtration, how we go about dealing with this detention pond and what kinds of systems it needs at the time we do our final platting. We may end up having things come through a flume, doing a rain garden to the side of that. The rain gardens that are in the front of the 17 lots in Trailwoods 5 – probably we're another 5 to 10 years away from that becoming a standard practice. And I think Shawn O'Leary would be really happy that that not become the standard practice. The way we do rain gardens over in Carrington is probably more manageable and easier to deal with. But, in many respects, these big detention systems also do a tremendous amount for storm water filtration with their riparian zones. We'll end up working out all of those details primarily at that cul-de-sac right there at the south end – make sure whatever water is being discharged on the site is as healthy as it possibly can be.

Ms. Pailles – Is there something to filter the water coming off the cul-de-sac before it goes into the detention pond, since it will be oily?

Mr. McKown – It depends on how we end doing the detention pond. By the time we get over there, four or five years from now, looking at the health of the trees, looking at what we might want to do in terms of additional walking trails. We've got a couple of areas where we left that entire natural condition, like in our Red Canyon Ranch community. We've essentially created a dry detention pond that you've got a grove of trees standing in it. A tree can process, depending on the species, 50 gallons of water a day. So it could end up that, as we get into that level of final design, that we just work with what's there and let it work its magic. We also, over in our Montecito Ranch community, allowed the trees to exist in the natural creek bed. In fact, it's the preferable solution over our rain garden solutions – much more efficient if we can utilize what Mother Nature has given us to work with. That's kind of the whole spirit of this little addition, was to preserve what's emerging right now in that detention pond.

Ms. Pailles – There's a lot of places in town where that sort of situation kind of exists, either next to a creek or next to a detention pond, and the runoff is oily. Sometimes it runs sort of over an open space with weeds, which actually kind of works, and sometimes it just goes straight into the creek and you can see the oil on the rocks in the creek. So I was just curious if maybe there was a flume or a swale or something there to kind of soak up the oil.

Mr. McKown – Once we get to that level of final design, there will be some methodology to remove those non-point-source pollutants before they go into the pond. They're our number one source of complaints from our homeowners if we have a dirty pond.

4. Mr. Boeck – Having actually been part of that study with Reed Coffman in the original neighborhood and we got to, in some studio classes, design some playgrounds around some of the areas on the side because the subdivision was broken up into standard storm water removal and detention and then the new swale stuff, and I haven't heard the studies. I know they're looking at the outpouring for the last two or three years now they've been taking data. I applaud the fact that it's happening; that Richard is one of the few developers that actually spends a lot of time thinking about detention and runoff and purifying storm water runoff before it gets into our creeks and stuff like that. Thank you.

**AUDIENCE PARTICIPATION:**

None

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Chris Lewis moved to recommend adoption of Resolution No. R-1415-28, Ordinance No. O-1415-12 and PP-1415-7, the Preliminary Plat for TRAILWOODS WEST ADDITION, to City Council. Andy Sherrer seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Andy Sherrer, Roberta Pailles, Curtis McCarty, Sandy Bahan, Dave Boeck, Jim Gasaway, Tom Knotts, Chris Lewis, Cindy Gordon
NAYES	None
ABSENT	None

Ms. Tromble announced that the motion to recommend adoption of Resolution No. R-1415-28, Ordinance No. O-1415-12 and PP-1415-7 to City Council, passed by a vote of 9-0.

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Item No. 12, being: **EAGLE CLIFF – SW CORNER OF EAST CEDAR LANE ROAD AND 12<sup>TH</sup> AVENUE S.E.**

**12A. R-1415-29 – EAGLECLIFF LIMITED PARTNERSHIP REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM COMMERCIAL DESIGNATION TO MEDIUM DENSITY RESIDENTIAL DESIGNATION FOR PROPERTY GENERALLY LOCATED A SHORT DISTANCE SOUTHWEST OF THE INTERSECTION OF EAST CEDAR LANE ROAD AND 12<sup>TH</sup> AVENUE S.E.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. 2025 Map
2. Staff Report

**12B. O-1415-13 – EAGLECLIFF LIMITED PARTNERSHIP REQUESTS REZONING FROM C-2, GENERAL COMMERCIAL DISTRICT, TO R-2, TWO-FAMILY DWELLING DISTRICT, FOR APPROXIMATELY 7.34 ACRES OF PROPERTY GENERALLY LOCATED A SHORT DISTANCE SOUTHWEST OF THE INTERSECTION OF EAST CEDAR LANE ROAD AND 12<sup>TH</sup> AVENUE S.E.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Preliminary Plat

**12C. PP-1415-8 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY EAGLECLIFF LIMITED PARTNERSHIP (SMC CONSULTING ENGINEERS, P.C.) FOR EAGLE CLIFF ADDITION SECTION 15, GENERALLY LOCATED A SHORT DISTANCE SOUTHWEST OF THE INTERSECTION OF EAST CEDAR LANE ROAD AND 12<sup>TH</sup> AVENUE S.E.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Pre-Development Summary
6. Greenbelt Commission Comments

**PRESENTATION BY STAFF:**

1. Jane Hudson – Just a quick notice on this one. You actually saw this application in June. You approved it unanimously and it got to City Council in July. The Land Use Plan amendment was acted upon; the rezoning and the preliminary plat were not, so this applicant does not have to wait the required one year to come back again to ask for your approval. So we're going to see this again tonight. It's the same application. There is a Land Use and Transportation Plan amendment from commercial to medium density. The existing land use in the area is commercial for the site. You've got commercial to the northeast, commercial over on the east side of 12<sup>th</sup> Avenue, industrial to the north, and single-family to the west and multi-family to the south. If approved, the land use plan amendment will move to medium density residential for this site. The rezoning will be going from C-2 to R-2 and then as well as the consideration for the preliminary plat. Again, the existing zoning for this site is C-2. We have RM-6 to the south, R-1 to the west, Industrial to the north, C-1 and again R-1 across 12<sup>th</sup> Avenue to the east. The existing land use in the area is single-family to the west, the multi-family to the south. You've got the commercial at the northeast corner, and again the single-family to the east. This is the commercial corner. This is the site itself; that's the multi-family there in the distance. This would be to the south; to the southwest. You've got the single-family on the west side. This is the industrial area to the north. Single-family and commercial along with the oil well on the east side across 12<sup>th</sup> Avenue. This is looking back to the east at the commercial at the site itself. This is the plat. Again, nothing has changed with this application; they're just coming back in so they can move forward to City Council. Staff supports this request and recommends approval of Resolution No. R-1415-29, Ordinance No. O-1415-13, and preliminary plat PP-1415-8. Be happy to

answer any questions you might have. The applicant's representative is here with a presentation and to answer any questions as well.

**PRESENTATION BY THE APPLICANT:**

1. Sean Rieger, 136 Thompson Drive, representing the applicant – This is a reboot. We're back. Sometimes in zoning you find yourself in a whirlwind that you did not expect – could not have anticipated. I don't know if you were following the news or the papers or zoning in around July and August, but there was something called Walmart that came through on Cedar Lane – a Walmart Super Center – a very large Walmart Super Center. Well, it hit the papers on a Monday or Sunday and this item was the Tuesday that it hit. That particular night at City Council there were quite a large number of people here that were quite angry with the Walmart being unveiled upon them on final vote at the Council meeting. We were in that whirlwind that night. This particular item is right down the street from where that Walmart was to go. There were seven Council members there that night. The Mayor was gone that particular night and the room went through a pretty heavy discussion on what would happen on Cedar Lane and Classen because of the Walmart. This project is on Cedar Lane. This project is right at the other side of Cedar Lane. And so that night Walmart got postponed; our item got turned down. I've watched the video tape. I don't know if anybody else has. I've talked to Council members about it, and I think in general – and I'm always careful to say what Council members think – but in reconstructing all of that and looking back upon it I think, in general, there were two concerns that night that culminated within that whirlwind. One was should it be removing commercial in anticipation of whether or not that we're going to decide when the Walmart was going to be approved. They didn't know that night. They had just learned Walmart was even proposed within 48 hours of this vote. So they didn't know yet whether this should be removed from commercial or not, depending on what would happen with Walmart. And secondly, traffic. They were concerned about traffic as to what the impact of traffic would be on an ongoing construction project on Cedar Lane. Those were generally the two most prevailing comments that night. We lost in the 2025 Plan vote. Successively to that, Walmart went on and got approved and so we now know what's going to happen on Cedar Lane with Walmart – it's going to happen on Cedar Lane and Classen. So tonight, forgive me, but I am going to spend some time on this item to show you why we believe we should be approved and why we would hope that City Council will revisit the discussion and positively look upon us.

This, too, by the way, is a Richard McKown creation. Once again, I'm going to ask him to come up again in a little bit and talk about it and we're going to show you his drawings in just a moment.

This is the site right there at the southwest corner of Cedar Lane and 12<sup>th</sup>. You've seen this again – bear with me to go through it. But right to the south of it is a multi-family project. Right on the northeast corner of the site is a gas station/convenience store. Astellas Pharmaceuticals is up here. The Eagles Nest large neighborhood to the south. This is basically raw land to the northeast. And, again, Cedar Lane is ongoing construction right now, as will be 12<sup>th</sup>.

This is the preliminary plat. It's C-2 zoned currently. It has never been used as C-2, but that's the zoning. We're asking to rezone to R-2, Two-Family Dwelling District. Eighteen duplex lots, 7.5 acres roughly, only a density of about 4.9 units per acre. Three common areas; you see them in green on the screen. A detention basin right here. Basically an open space right here; there's a large sanitary sewer line that cuts right through the middle of that so that will simply be an open space with probably some accommodations for the residents on the street. And then a very nice green space connection over to the convenience store right here with a sidewalk and some greenery. And I know when I talked to one Council member they expressed to me they were not aware that that was there and they wanted it, and so I'm not sure if that was their vote or not. It is there – the connection between the commercial and the residence. I know this is something that Richard is very proud of, actually, to show that. We probably could fit another lot in there if you look at that, but we're not. We're going to show that as open space with connection over to the commercial.



This is a drawing for Richard. I'm going to come back to it and let Richard be able to talk about it. But it shows you the overall view of the area right there. This is looking off of 12<sup>th</sup>. Again, I'm going to have Richard come back up and talk about these when I'm done. But that's a view over on the west side. I'll compliment him, if I may. Very sensitive design in the middle with this open space that serves the whole area. This is a green space connection over to the convenience store. And this is the detention area over here that presents a nice image off of Cedar Lane as you come into the neighborhood.

But let's talk about those two issues, if you will forgive me and let me have that time. Commercial – should we remove it as commercial? Again, that night we didn't know. We didn't know what would happen to Walmart. I think many people thought it would be objected to. What happened was right here on the right – that's Walmart. Before, that was not Walmart; that was not commercial. That was basically an industrial tract shown off the corner of Cedar Lane and Classen. But commercial has shifted. This is the zoning you're looking at. It's C-2 right here. That's what we're asking to transfer over to basically an R-2 development. I would also note that this piece right here on the corner – that's a 10-acre site that is not used right now. I can tell you through acquisition right-of-way work that was done on Cedar Lane, that was valued and paid for as commercial land, so certainly many people project or consider that corner likely will be a commercial corner, so you still have that corner as a 10-acre piece if you need it. This is the 2025 plan and you can see again now significant commercial developing over here and this is commercial that has not developed on the west.

Let's talk about what has happened in this location over time. On the left is 2025 as it was adopted in December of 2004, and you can see that Classen Avenue, right over here, had a very strong industrial influence. This is 2025 today, and 2025 today now has two significant changes to it. Up here a large area of commercial and right here the Walmart. I think almost anyone can agree with me that, once the Walmart gets in place, you will see that propagation continue. Very likely more commercial will come to the Walmart site, to that area, and along Classen.

So do we want that? Has the City decided that's the case? I would say they have, and I want to share with you several zonings as examples of how that has happened. This is the site at the lower left. This is 12<sup>th</sup> Avenue going north and this is Cedar Lane going right here. I want to take you through three examples of zonings in this area and show you how that has transferred to Classen. This is zoning right here on the upper right called the Empire Addition. It's 2006; it was a zoning I handled for a gentleman named John Proctor. It was intensely fought. That was a very intense zoning fight, to the point that City staff opposed it. They did not want it. They put a legal ad in the paper actually declaring a special use area to try to keep it from being zoned to commercial. It went on to City Council, with staff fighting it all the way through, and City Council very adamantly said, no, it's time; that should be commercial. It got put into the commercial district on Classen. It was the first. Classen before that, as I just showed you, was industrial – very much an industrial corridor. And that was the fight. That was the policy fight that day in 2006. Council said no, it's time for this to be commercial. So we did it. Buffalo Wild Wings is in there. There's a gas station in there. There's a strip center in there. There's another development about to occur in there I will share with you that will also be a significant commercial piece on that site. So that was 2006.

Fast forward to 2009. 2009 and let's look at this site right here. In 2009 this whole area right here was vacant. It was raw land. The first zoning that came through was an ambulance center right here before 2009. And it's still there – a little ambulance center. I think it's a two garage ambulance facility. Very shortly after that, that piece was bought right next to it and was called Victory Park. And a zoning came through for multi-family, which the piece was intended to be on the east side of it. But in that zoning in 2009 the frontage was proposed as commercial. That, too, was a very controversial zoning. And what was controversial about that zoning was the industrial part being taken away. Nobody really thought that the controversial piece would be the commercial frontage on 12<sup>th</sup>. It ended up, when that got to Council, it was defeated. And it was defeated primarily on the force of Councilmember Doug Cubberly who lived in Eagle's Nest, right down here, and he fought it vigorously. He, by the way, fought

vigorously for this commercial piece on Classen. He fought vigorously against this commercial frontage on 12<sup>th</sup>. And his argument that night was to say that we have, as a policy, said that we do not want 12<sup>th</sup> Street to be commercial; we want Classen to be commercial. Very clear. He made the policy decision and that was what was done. That zoning on 12<sup>th</sup> Avenue with the commercial piece was defeated and not brought again. It eventually brought back student housing in that area – the Campus Crest Addition was ultimately approved on that site. Park 7 was approved just south of it. That frontage piece became zoned office lots, which still have not been used. But very adamantly and very clearly the City Council said that will not be commercial on 12<sup>th</sup>, and Councilmember Cubberly said so because he did not want 12<sup>th</sup> Avenue to become a traffic congested thoroughfare of commercial. That was his thinking that night. He didn't mind that Classen could because he felt – and I'm speaking for the gentleman who is not here to correct me if I'm wrong, but I was there – and he felt that Classen could accommodate a commercial zone and that was the distinction.

Now we fast forward again to the night where we found ourselves in the whirlwind and the decision was before the City Council, after you unanimously put forth both of these projects – the decision was before them. Do we take away commercial over here? Do we add it over here? Well, that night Walmart got postponed. They didn't make the decision that night. They voted no against us. And it was pretty clear that they were trying to figure this out. Where do they go with commercial in this area? Well, we know ultimately they went with Walmart. It got approved. And so what happened was this piece got approved as commercial on the corner of Cedar Lane and Classen. And I want you to see, if you will, that that was a continued policy that was consistent with what has been done since 2006. You can take it all the way back to Empire Addition to that night that was very vigorously fought when they decided that Empire Addition would be commercial. They then fast forward to 2014 and say Walmart would be commercial. And now you know what's going to happen – that that corridor will absolutely very clearly become a commercial corridor.

So then what happens to this piece? Does that piece, now as we go back through, and now they have decided the Walmart decision – does this piece stay as commercial? I would suggest to you no, because once a Walmart Super Center goes in, that becomes the nucleus of commercial. That becomes the magnet. That becomes the anchor, as we call it – the destination place. That's where commercial will gravitate to. This site also, even if you were to take away the Walmart site and discuss is it a good site for commercial, it's not. And I would suggest that if you look at the screen you can see that. This is the corner of Classen and Cedar Lane right there. And if you look at this area of Norman, it has pretty severe limitations to call that a significant commercial corner. Because if you just go ½ mile west, you're at a floodplain dead end. If you go one mile south, you're at a floodplain dead end. Those streets dead end. They go to the river and floodplain. They don't go anywhere. So that is not a dominant commercial corner that has long distances of section line roads coming to it. And it certainly won't see the traffic that it used to now with Walmart over to the Classen side. In fact, this area has become such a lesser traveled area as far as any commercial sense that the master transportation plan that this community recently adopted downgraded 12<sup>th</sup> Avenue from our corner south from a minor arterial to a collector street. They're not even calling it an arterial any more. So why would you want C-2 commercial zoning fronting on a collector street? You wouldn't. That's the path of progress and policy. That commercial tract has sat there since 1981 as a C-2 piece and has never been used. You have seen six preliminary plats come through this chamber; not one of them has made their way to final plat. Not one. But I think, as interestingly as all of that, the last time anybody even tried was 2003 – eleven years ago. Nobody has even attempted it since then. Walmart just happened a month or two ago – a few months ago. But you had 10 years before that nobody even tried it. I can assure you – I'm very confident nobody will try again for a long time now with Walmart one mile down the street. This property has failed as a commercial property, so it's time to revisit it as what it will be.

Traffic. Let's talk about that briefly. I spoke with one of the Council members afterwards and said please let me know what your concern was. And the person told me that their concern was not the overall traffic count; it was actually a timing issue. This is one Council

member – doesn't speak for all of them, but this particular Council member told me it was a timing issue, that their concern was that they understood that it was significantly less traffic, but if it got approved right away and would put residents there right away, they would exacerbate a difficult condition right now with all of the construction happening on Cedar and 12<sup>th</sup>. And so what we've gone back and thought about is how soon will we be occupied? How soon will the Cedar Lane project be done? The Cedar Lane project will be done in June of 2015. At that time, the intersection and Cedar Lane over to Classen will be completed. It will be a pretty miraculous and wonderful artery that will connect those areas, significantly adding capacity and ability for people to move around in that area. Our project will not be finished and occupied before then – it simply is not even possible, I don't think. I've seen things go pretty quick, but we're in October right now. We have to go complete platting. You have to go complete building permitting and you have to build it and you have to lease it. It's not going to happen before the finish of the Cedar Lane project. So you're not going to add problems to the Cedar Lane project before it is finished.

What I do want to make sure that everybody is clear that even if you look at just the traffic count, we are dramatically reducing the amount of traffic to go from C-2 to an R-2 development. If you look at the top, staff wrote it: "As indicated with the traffic information, there will be less impact in the area with residential use than commercial." I thought it would be helpful to show you just how much, because it is incredible the difference. At the top, it's from the staff report for this project. And this is a staff report that shows the trip generation of daily trips for the site. This is Eagle Cliff Section 15 as proposed: 7.34 acres. We're proposing R-2, two family dwellings. Under that proposal on that size, basically 36 individual units of residences, typically in traffic you see about 10 trips per day per unit of a residence. And 36 units, you rough it all out here. Basically the staff report, the engineers have determined this has 410 trips per day for that entire site of 7.34 acres. Now, if we were to leave it as C-2, we can go get a building permit right now, if anybody would ever bring one, but I don't think they would after we just talked about it. But if it happened, if you went C-2, what would that look like in traffic? At the bottom of the screen is the Murdock Village Addition. This is West Main Street. This is only a 6.6 acre addition, about 10% smaller than what we have tonight. But that was one that was actually done in 2010. This is the former Marc Heitz Chevrolet dealership site that move to I-35. This was one large site, or two. We divided it up into preliminary plat so that we could put different uses in there and, sure enough, it's been successful and has What-a-Burger, Arby's just now under construction, Aldi, Goodwill, and there are two other small strip centers that will be built on that to finish it out, and those are in process I think right now. But that is a smaller site, but very similar size. If that's C-2, the traffic report on that one said the trip per day were 5,718. That's the difference you're talking about in traffic versus leaving it right now as C-2. You would have something on the order of 6,000 trips per day projected. If you go to R-2, you have 410 trips. Fourteen times the amount of traffic if you leave it as C-2. We can help the traffic problems with Cedar and 12<sup>th</sup> by changing the zoning to R-2.

And so staff recommends approval for this project, as they said. 12<sup>th</sup> Avenue now designated as a collector street south of East Cedar Lane. Residential development. Much more appropriate for that type of a location. No persons appeared at Pre-Development. There have been no protests. We have staff support. And, at this time, I do want to ask Richard McKown to come back and talk about his creation and I'll leave the slides up for him to talk to you.

2. Richard McKown – I'm going to be so brief. You all know I can be long-winded. The two things that I really like the most about this particular project. The architecture is a new product that we've been working on for a couple of years now where we've taken the two garages and pulled them apart, which can really – on townhouse units, that can be a little bit daunting to drive past basically a giant four-car garage with the front doors tucked around on the sides. This gives you a lot more opportunity to interact with your neighbor, to be social, and so on, and that's one of my favorite things about this property. And then the pedestrian connection so that you're not forced to go out and around always to the section line road as a pedestrian to get to

the neat little convenience store here that's appropriately scaled for the neighborhood. But, anyhow, we've been working on this Eagle Cliff community for well over 30 years. I remember chasing cows out there as a kid. It's a low traffic situation. And it reminds me of a friend of mine wanted to put a restaurant over in northwest Norman at the intersection of Franklin and West 36<sup>th</sup>. That doesn't have any dead ends, but it doesn't have any highway access either, and Franklin Road carried 600 cars a day at the time. It might carry 2,000 cars a day today. And I told her, I said you know if I sell you a parcel at that location in northwest Norman and you put a restaurant there, you'll go broke. Go lease somewhere in a high traffic location. It's even hard to sell houses in a low traffic location like Eagle Cliff. I'm excited about this. I think it's finally – it's been many, many years trying to complete this project. I appreciate your support.

#### **AUDIENCE PARTICIPATION:**

1. Robert Castleberry, 4701 Windrush – I am not here as a City Council member. I am here as somebody that was at the City Council meeting. And I can tell you why this was rejected, and for none of the reasons that it was previously rejected. We were not given this. When the questions were asked, what are the size of the duplexes? Well, we don't know. How many people are going to be there? We don't know. The problem when it came first to Council was we just want to make this townhomes, we don't really know what size they're going to be, how many there are going to be. We don't really know. We just want this to be duplexes. Is that okay? And that was what the Council members were uncomfortable with. It's just duplexes. None of the questions could be answered. I don't think it really had anything to do with the other reasons. I'm not here supporting it or against it. But this type of drawing was not presented the first time. It was more of a plat kind of thing. So just to kind of give you a frame of reference, I think one of the reasons why the Council didn't like it at the time was there was not enough specificity as to what you're going to do and what it's going to look like. There was some concerns about traffic, but the concern about the traffic was we didn't know how many units were going to be there. Was this going to be two stories, that type of thing? So just to kind of give you a frame of reference of what some of the issues were the first time it came through. Thank you.

#### **DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

1. Ms. Gordon – I have a question for anyone that can answer it. We're doing upgrades to the intersection of 12<sup>th</sup> and Highway 9. Is that right? Adding a turn lane. When will those be done in relation to when this is going to be finished?

Mr. Riesland – 12<sup>th</sup> Avenue is a separate bond project from Cedar Lane and I think it's in 2017 maybe. And that includes the intersection of 12<sup>th</sup> and Highway 9. I don't have that information in front of me. It's 2016 or 2017.

Ms. Gordon – I think it's supposed to get – because of the increase in apartments that were just built there in the last how many years, it was supposed to get a turn lane and improvements to handle that flow, correct?

Mr. Riesland – Yes.

Ms. Gordon – And that's not going to happen for another 3 years? Because I'm already hearing from people that live there that it's already kind of a nightmare getting up through there, and so I was just curious if we're going to add to that, even though it seems minimal, then I was just curious how long those people would have to deal with the traffic issues.

Mr. Riesland – I apologize for not having that information with me. That's what I'm recollecting is 2016 or 2017. That's when it's programmed to begin.

Mr. Rieger – I've talked to Mr. O'Leary about it and he didn't have a definitive timeline, but what I recall was roughly 2017 it would be done. I want to urge caution here on one point, though. I represented Campus Crest and Park 7 and these questions were not put on them as to we should delay any potential review or consideration until our projects around you are done. Nor I don't believe Walmart was said you have to wait for your opening until we finish all the road work around this area. This pales in comparison to the size of those projects that were

allowed to go on through with this work ongoing. So I would suggest – I would hope you would consider that when you decide whether or not a 36 ...

Ms. Gordon – I understand that, but if we continue to dump development into this area, whether it's commercial or residential, at some point we have to acknowledge that we're not able to keep up with the traffic, and we can't keep saying, well, it will happen at some point in the future and all these other projects it wasn't an issue so it shouldn't be an issue on this one. At some point it's going to be an issue. And I'm telling you I'm hearing from people that live in the Eagle Cliff Addition that it's already an issue. And so now they have to wait for another three years, deal with the construction on Cedar Lane. So, basically, that's a problem for me. If we continue developing this and we're not able to keep up with the infrastructure, for money or time or whatever reason.

Mr. Riesland – The Park 7 project did have interim improvements to the intersection of Highway 9 and 12<sup>th</sup>, which have been implemented. That included provision of two left-turn lanes to go west on Highway 9. Those have been made.

Mr. Rieger – This project also has to pay for part of that work. If you approve it, this actually has monies that come out of this project to pay for some of that work. So not only do they get the benefit of doing that, they have to pay for it out of their pocket.

*Curtis McCarty moved to recommend adoption of Resolution No. R-1415-29, Ordinance No. O-1415-13, and PP-1415-8, the Preliminary Plat for EAGLE CLIFF ADDITION SECTION 15, to City Council. Andy Sherrer seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS

Andy Sherrer, Roberta Pailes, Curtis McCarty, Sandy Bahan,  
Dave Boeck, Jim Gasaway, Tom Knotts, Chris Lewis, Cindy  
Gordon

NAYES

None

ABSENT

None

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1415-29, Ordinance No. O-1415-13, and PP-1415-8, to City Council, passed by a vote of 9-0.

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Item No. 13, being:

**MISCELLANEOUS COMMENTS**

1. Mr. Boeck – I understand that number 10, Aria Development, that we were just voting on zoning changes. But, as an architect and as someone that champions aging in place and creating healthy neighborhoods, I know the City has to approve building permits and such that meet certain standards, but I would like to see the kind of stuff that comes through here be designed a lot better in terms of aging in place and creating healthy environments where you can walk, which that neighborhood does not, in my humble opinion. What Richard has shown for this last project, with sidewalks and a park and things like that, are the kind of stuff that I hope we can approve a lot more often and a lot more consistently.

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Item No. 14, being:

**ADJOURNMENT**

There being no further comments from Commissioners or staff, and no further business, the meeting adjourned at 8:20 p.m.

  
Norman Planning Commission